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Papers of Philleo Nash

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CIVIL RIGHTS PROGRAM

M E S S A G E

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

HIS RECOMMENDATIONS FOR CIVIL RIGHTS PROGRAM

FEBRUARY 2, 1948.—Referred to the Committee of the Whole House on the State of the Union and ordered to be printed

To the Congress of the United States:

In the state of the Union message on January 7, 1948, I spoke of five great goals toward which we should strive in our constant effort to strengthen our democracy and improve the welfare of our people. The first of these is to secure fully our essential human rights. I am now presenting to the Congress my recommendations for legislation to carry us forward toward that goal.

This Nation was founded by men and women who sought these shores that they might enjoy greater freedom and greater opportunity than they had known before. The founders of the United States proclaimed to the world the American belief that all men are created equal, and that governments are instituted to secure the inalienable rights with which all men are endowed. In the Declaration of Independence and the Constitution of the United States they eloquently expressed the aspirations of all mankind for equality and freedom.

These ideals inspired the peoples of other lands, and their practical fulfillment made the United States the hope of the oppressed everywhere. Throughout our history men and women of all colors and creeds, of all races and religions, have come to this country to escape tyranny and discrimination. Millions strong, they have helped build this democratic Nation and have constantly reinforced our devotion to the great ideals of liberty and equality. With those who preceded them, they have helped to fashion and strengthen our American faith—a faith that can be simply stated:

We believe that all men are created equal and that they have the right to equal justice under law.

We believe that all men have the right to freedom of thought and of expression and the right to worship as they please.

We believe that all men are entitled to equal opportunities for jobs, for homes, for good health, and for education.

We believe that all men should have a voice in their government, and that government should protect, not usurp, the rights of the people.

These are the basic civil rights which are the source and the support of our democracy.

Today the American people enjoy more freedom and opportunity than ever before. Never in our history has there been better reason to hope for the complete realization of the ideals of liberty and equality.

We shall not, however, finally achieve the ideals for which this Nation was founded so long as any American suffers discrimination as a result of his race, or religion, or color, or the land of origin of his forefathers.

Unfortunately there still are examples—flagrant examples—of discrimination which are utterly contrary to our ideals. Not all groups of our population are free from the fear of violence. Not all groups are free to live and work where they please or to improve their conditions of life by their own efforts. Not all groups enjoy the full privileges of citizenship and participation in the Government under which they live.

We cannot be satisfied until all our people have equal opportunities for jobs, for homes, for education, for health, and for political expression, and until all our people have equal protection under the law.

One year ago I appointed a committee of 15 distinguished Americans, and asked them to appraise the condition of our civil rights and to recommend appropriate action by Federal, State, and local Governments.

The committee's appraisal has resulted in a frank and revealing report. This report emphasizes that our basic human freedoms are better cared for and more vigilantly defended than ever before, but it also makes clear that there is a serious gap between our ideals and some of our practices. This gap must be closed.

This will take the strong efforts of each of us individually, and all of us acting together through voluntary organizations and our governments.

The protection of civil rights begins with the mutual respect for the rights of others, which all of us should practice in our daily lives. Through organizations in every community—in all parts of the country—we must continue to develop practical, workable arrangements for achieving greater tolerance and brotherhood.

The protection of civil rights is the duty of every government which derives its powers from the consent of the people. This is equally true of local, State, and National Governments. There is much that the States can and should do at this time to extend their protection of civil rights. Wherever the law-enforcement measures of State and local governments are inadequate to discharge this primary function of government, these measures should be strengthened and improved.

The Federal Government has a clear duty to see that constitutional guaranties of individual liberties and of equal protection under the laws are not denied or abridged anywhere in our Union. That duty is shared by all three branches of the Government, but it can be ful-

filled only if the Congress enacts modern, comprehensive civil-rights laws, adequate to the needs of the day, and demonstrating our continuing faith in the free way of life.

I recommend, therefore, that the Congress enact legislation at this session directed toward the following specific objectives:

1. Establishing a permanent Commission on Civil Rights, a Joint Congressional Committee on Civil Rights, and a Civil Rights Division in the Department of Justice.
2. Strengthening existing civil-rights statutes.
3. Providing Federal protection against lynching.
4. Protecting more adequately the right to vote.
5. Establishing a Fair Employment Practice Commission to prevent unfair discrimination in employment.
6. Prohibiting discrimination in interstate transportation facilities.
7. Providing home rule and suffrage in Presidential elections for the residents of the District of Columbia.
8. Providing statehood for Hawaii and Alaska and a greater measure of self-government for our island possessions.
9. Equalizing the opportunities for residents of the United States to become naturalized citizens.
10. Settling the evacuation claims of Japanese-Americans.

Strengthening the Government organization

As a first step, we must strengthen the organization of the Federal Government in order to enforce civil-rights legislation more adequately and to watch over the state of our traditional liberties.

I recommend that the Congress establish a permanent Commission on Civil Rights reporting to the President. The Commission should continuously review our civil-rights policies and practices, study specific problems, and make recommendations to the President at frequent intervals. It should work with other agencies of the Federal Government, with State and local governments, and with private organizations.

I also suggest that the Congress establish a Joint Congressional Committee on Civil Rights. This committee should make a continuing study of legislative matters relating to civil rights and should consider means of improving respect for and enforcement of those rights.

These two bodies together should keep all of us continuously aware of the condition of civil rights in the United States and keep us alert to opportunities to improve their protection.

To provide for better enforcement of Federal civil-rights laws, there will be established a Division of Civil Rights in the Department of Justice. I recommend that the Congress provide for an additional Assistant Attorney General to supervise this Division.

Strengthening existing civil-rights statutes

I recommend that the Congress amend and strengthen the existing provisions of Federal law which safeguard the right to vote and the right to safety and security of person and property. These provisions are the basis for our present civil-rights-enforcement program.

Section 51 of title 18 of the United States Code, which now gives protection to citizens in the enjoyment of rights secured by the Constitution or Federal laws, needs to be strengthened in two respects.

In its present form this section protects persons only if they are citizens, and it affords protection only against conspiracies by two or more persons. This protection should be extended to all inhabitants of the United States, whether or not they are citizens, and should be afforded against infringement by persons acting individually as well as in conspiracy.

Section 52 of title 18 of the United States Code, which now gives general protection to individuals against the deprivation of federally secured rights by public officers, has proved to be inadequate in some cases because of the generality of its language. An enumeration of the principal rights protected under this section is needed to make more definite and certain the protection which the section affords.

Federal protection against lynching

A specific Federal measure is needed to deal with the crime of lynching—against which I cannot speak too strongly. It is a principle of our democracy, written into our Constitution, that every person accused of an offense against the law shall have a fair, orderly trial in an impartial court. We have made great progress toward this end, but I regret to say that lynching has not yet finally disappeared from our land. So long as one person walks in fear of lynching, we shall not have achieved equal justice under law. I call upon the Congress to take decisive action against this crime.

Protecting the right to vote

Under the Constitution the right of all properly qualified citizens to vote is beyond question. Yet the exercise of this right is still subject to interference. Some individuals are prevented from voting by isolated acts of intimidation. Some whole groups are prevented by outmoded policies prevailing in certain States or communities.

We need stronger statutory protection of the right to vote. I urge the Congress to enact legislation forbidding interference by public officers or private persons with the right of qualified citizens to participate in primary, special, and general elections in which Federal officers are to be chosen. This legislation should extend to elections for State as well as Federal officers insofar as interference with the right to vote results from discriminatory action by public officers based on race, color, or other unreasonable classification.

Requirements for the payment of poll taxes also interfere with the right to vote. There are still seven States which, by their constitutions, place this barrier between their citizens and the ballot box. The American people would welcome voluntary action on the part of these States to remove this barrier. Nevertheless, I believe the Congress should enact measures insuring that the right to vote in elections for Federal officers shall not be contingent upon the payment of taxes.

I wish to make it clear that the enactment of the measures I have recommended will in no sense result in Federal conduct of elections. They are designed to give qualified citizens Federal protection of their right to vote. The actual conduct of elections, as always, will remain the responsibility of State governments.

Fair Employment Practice Commission

We in the United States believe that all men are entitled to equality of opportunity. Racial, religious, and other invidious forms of dis-

crimination deprive the individual of an equal chance to develop and utilize his talents and to enjoy the rewards of his efforts.

Once more I repeat my request that the Congress enact fair employment practice legislation prohibiting discrimination in employment based on race, color, religion, or national origin. The legislation should create a Fair Employment Practice Commission with authority to prevent discrimination by employers and labor unions, trade and professional associations, and Government agencies and employment bureaus. The degree of effectiveness which the wartime Fair Employment Practice Committee attained shows that it is possible to equalize job opportunity by Government action and thus to eliminate the influence of prejudice in employment.

Interstate transportation

The channels of interstate commerce should be open to all Americans on a basis of complete equality. The Supreme Court has recently declared unconstitutional State laws requiring segregation on public carriers in interstate travel. Company regulations must not be allowed to replace unconstitutional State laws. I urge the Congress to prohibit discrimination and segregation, in the use of interstate transportation facilities, by both public officers and the employees of private companies.

The District of Columbia

I am in full accord with the principle of local self-government for residents of the District of Columbia. In addition, I believe that the Constitution should be amended to extend suffrage in Presidential elections to the residents of the District.

The District of Columbia should be a true symbol of American freedom and democracy for our own people, and for the people of the world. It is my earnest hope that the Congress will promptly give the citizens of the District of Columbia their own local, elective government. They themselves can then deal with the inequalities arising from segregation in the schools and other public facilities, and from racial barriers to places of public accommodation which now exist for one-third of the District's population.

The present inequalities in essential services are primarily a problem for the District itself, but they are also of great concern to the whole Nation. Failing local corrective action in the near future, the Congress should enact a model civil-rights law for the Nation's Capital.

Our Territories and possessions

The present political status of our Territories and possessions impairs the enjoyment of civil rights by their residents. I have in the past recommended legislation granting statehood to Alaska and Hawaii, and organic acts for Guam and American Samoa, including a grant of citizenship to the people of these Pacific Islands. I repeat these recommendations.

Furthermore, the residents of the Virgin Islands should be granted an increasing measure of self-government, and the people of Puerto Rico should be allowed to choose their form of government and their ultimate status with respect to the United States.

Equality in naturalization

All properly qualified legal residents of the United States should be allowed to become citizens without regard to race, color, religion, or national origin. The Congress has recently removed the bars which formerly prevented persons from China, India, and the Philippines from becoming naturalized citizens. I urge the Congress to remove the remaining racial or nationality barriers which stand in the way of citizenship for some residents of our country.

Evacuation claims of the Japanese-Americans

During the last war more than 100,000 Japanese-Americans were evacuated from their homes in the Pacific States solely because of their racial origin. Many of these people suffered property and business losses as a result of this forced evacuation and through no fault of their own. The Congress has before it legislation establishing a procedure by which claims based upon these losses can be promptly considered and settled. I trust that favorable action on this legislation will soon be taken.

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The legislation I have recommended for enactment by the Congress at the present session is a minimum program if the Federal Government is to fulfill its obligation of insuring the Constitutional guaranties of individual liberties and of equal protection under the law.

Under the authority of existing law the executive branch is taking every possible action to improve the enforcement of the civil-rights statutes and to eliminate discrimination in Federal employment, in providing Federal services and facilities, and in the armed forces.

I have already referred to the establishment of the Civil Rights Division of the Department of Justice. The Federal Bureau of Investigation will work closely with this new Division in the investigation of Federal civil-rights cases. Specialized training is being given to the Bureau's agents so that they may render more effective service in this difficult field of law enforcement.

It is the settled policy of the United States Government that there shall be no discrimination in Federal employment or in providing Federal services and facilities. Steady progress has been made toward this objective in recent years. I shall shortly issue an Executive order containing a comprehensive restatement of the Federal nondiscrimination policy, together with appropriate measures to ensure compliance.

During the recent war and in the years since its close we have made much progress toward equality of opportunity in our armed services without regard to race, color, religion, or national origin. I have instructed the Secretary of Defense to take steps to have the remaining instances of discrimination in the armed services eliminated as rapidly as possible. The personnel policies and practices of all the services in this regard will be made consistent.

I have instructed the Secretary of the Army to investigate the status of civil rights in the Panama Canal Zone with a view to eliminating such discrimination as may exist there. If legislation is necessary, I shall make appropriate recommendations to the Congress.

* * *

The position of the United States in the world today makes it especially urgent that we adopt these measures to secure for all our people their essential rights.

The peoples of the world are faced with the choice of freedom or enslavement, a choice between a form of government which harnesses the state in the service of the individual and a form of government which chains the individual to the needs of the state.

We in the United States are working in company with other nations who share our desire for enduring world peace and who believe with us that, above all else, men must be free. We are striving to build a world family of nations—a world where men may live under governments of their own choosing and under laws of their own making.

As part of that endeavor, the Commission on Human Rights of the United Nations is now engaged in preparing an international bill of human rights by which the nations of the world may bind themselves by international covenant to give effect to basic human rights and fundamental freedoms. We have played a leading role in this undertaking designed to create a world order of law and justice fully protective of the rights and the dignity of the individual.

To be effective in these efforts, we must protect our civil rights so that by providing all our people with the maximum enjoyment of personal freedom and personal opportunity we shall be a stronger nation—stronger in our leadership, stronger in our moral position, stronger in the deeper satisfactions of a united citizenry.

We know that our democracy is not perfect. But we do know that it offers a fuller, freer, happier life to our people than any totalitarian nation has ever offered.

If we wish to inspire the peoples of the world whose freedom is in jeopardy, if we wish to restore hope to those who have already lost their civil liberties, if we wish to fulfill the promise that is ours, we must correct the remaining imperfections in our practice of democracy.

We know the way. We need only the will.

HARRY S. TRUMAN.

THE WHITE HOUSE, *February 2, 1948.*

